

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

DANIEL L. SELF, et al., )  
                                )  
Plaintiffs,                 )  
                                )  
v.                             )              Case No. 4:00CV1903 TIA  
                                )  
                                )  
EQUILON ENTERPRISES, LLC, et al., )  
                                )  
Defendants.                 )

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiffs' Motion to Clarify the Court's June 29, 2007, Order and for Leave to Submit Expert Testimony Pertaining to Newly-Produced Evidence (Docket No. 526).

In the June 29, 2007, Order, the Court decided to limit Kamerschen's opinions to those set forth in the Original and Preliminary Report ...." Plaintiffs' contention that they should be able to re-calculate their damages and provide analysis based on the production of the new data and documents has merit. Nonetheless, the Court will neither allow Plaintiffs to retain new experts to provide the analysis or re-calculations nor allow Plaintiffs to submit a report from the previously stricken expert. Moreover, Plaintiffs are prohibited from injecting new damage opinions and new damage methodologies in analyzing the data and documents.

After reviewing the parties' pleadings and the record before the Court and considering the arguments presented at the October 12, 2007, hearing, the Court orders as follows:

**IT IS HEREBY ORDERED** that Plaintiffs' Motion to Clarify the Court's June 29, 2007, Order and for Leave to Submit Expert Testimony Pertaining to Newly-Produced Evidence (Docket

No. 526) is Granted as follows. No later than October 25, 2007, Plaintiffs shall file amended experts reports containing the re-run calculations computed by their experts and any analysis based on the data and documents produced after March 30, 2007.

**IT IS FURTHER ORDERED** that the amended reports should not contain new opinions on the meaning of transfer price in the field of internal management accounting.

**IT IS FURTHER ORDERED** that Defendants shall file any amended reports based on Plaintiffs' amended reports no later than November 5, 2007, and Plaintiffs shall file any rebuttal experts reports in response thereto no later than November 15, 2007.

**IT IS FURTHER ORDERED** that the dispositive motion deadlines are amended as follows: Any motions to dismiss, for summary judgment, or for judgment on the pleadings must be filed no later than **December 17, 2007**. Opposition briefs shall be filed no later than **January 17, 2007**, and any reply brief may be filed no later than **January 31, 2007**. **A COURTESY COPY OF SUCH PLEADINGS SHALL BE DELIVERED DIRECTLY TO THE UNDERSIGNED'S CHAMBERS.**

Dated this 15<sup>th</sup> day of October, 2007

/s/Terry I. Adelman  
UNITED STATES MAGISTRATE JUDGE